

compose.kerala.gov.in
egazette.kerala.gov.in
printing.kerala.gov.in



Regn.No. KERBIL/2012/45073
dated 2012-09-05 with RNI
Reg No.KL/TV(N)/634/2021-2023

കേരള സർക്കാർ
GOVERNMENT OF KERALA

കേരള ഗസറ്റ് KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

ചൊവ്വ, 2022 ജനുവരി 18
Tuesday, 18th January 2022

1197 മകരം 4
4th Makaram 1197

വാല്യം 11
Vol. XI

1943 പൗഷം 28
28th Pousha 1943

നമ്പർ } 3
No. }

Part I(A)
Election

©
കേരള സർക്കാർ
GOVERNMENT OF KERALA
2022



Election (General) Department

No. 1947/EL1/2020/Elec.

*Dated, Thiruvananthapuram, 23rd December 2021.***NOTIFICATION**

The Election Commission of India's Order No. 76/KL-HP/13/2019 dated 7-12-2021 is hereby re-published.

By order of the Governor,

SANJAY M. KAUL,
Secretary & Chief Electoral Officer.



ELECTION COMMISSION OF INDIA

Nirvachan Sadan, Ashoka Road, New Delhi-110 001

No. 76/KL-HP/13/2019.

Dated, 7th December, 2021.
16th Agrahayana 1943 (Saka).

ORDER

WHEREAS, the General Election to Lok Sabha of Kerala, 2019 was announced by Election Commission vide Press Note No. ECI/PN/23/2019 dated 10th March, 2019. As per the schedule, the date of Counting was 23rd May, 2019.

AND WHEREAS, as per Section 78 of the Representation of the People Act, 1951, every contesting candidate has to lodge a true copy of his account of election expenses within 30 days with the District Election Officer concerned, from the date of election of returned candidate;

AND WHEREAS, the result of the said election was declared by the concerned Returning Officer including 13-Idukki Parliamentary Constituency in Kerala State on 23rd May, 2019. As such the last date for lodging of account of Election Expenses was 22nd June, 2019;

AND WHEREAS, as per the report dated nil submitted by District Election Officer, Idukki which was forwarded by Chief Electoral Officer, Kerala vide Letter No. 4535/EL1/2019/Elec., dated 5th November, 2019, Smt. Gomathy, an Independent contesting candidate from 13-Idukki Parliamentary Constituency in Kerala State, has failed to lodge any account of her election expenses,

AND WHEREAS, on the basis of the report of the District Election Officer, Idukki, Kerala and the Chief Electoral Officer, Kerala, a Show Cause Notice dated 10th January, 2020 was issued by Election Commission under Sub Rule (5) of Rule 89 of the Conduct of Election Rules, 1961 to Smt. Gomathy for non-submission of election Expenses;

AND WHEREAS, as per sub rule (6) of Rule 89 of the Conduct of Election Rules, 1961, through the above said Show Cause Notice dated 10th January, 2020, Smt. Gomathy was directed to submit her representation in writing to the Commission explaining the reason for non-submission of accounts and also to lodge her accounts of election expenses/rectify the defects in her accounts and submit the same to the District Election Officer, concerned within 20 days from the date of receipt of the notice;

AND WHEREAS, the said notice was received by Smt. Gomathy on 25th February, 2020 Acknowledgment receipt obtained from the candidate has been submitted to the Commission by District Election Officer, Idukki vide his letter No. DCIDK/559/2020-E4 dated 3rd June, 2020;

AND WHEREAS, in the supplementary report submitted by District Election Officer, Idukki vide letter DCIDK/1484/2019-F3 dated 23rd January, 2021, it has been stated that Smt. Gomathy, has not submitted any representation or her account of election expenses, duly signed along with original



vouchers etc. till date. Further, she has furnished neither any reason nor explanation for the said failure even after receipt of the due notice to the Election Commission of India, as well;

AND WHEREAS, the Commission is satisfied that Smt. Gomathy, has failed to lodge an account of election expenses and has no good reason or justification for the failure;

AND WHEREAS, Section 10A of the Representation of the People Act, 1951 stipulates that:—

“If the Election Commission is satisfied that a person-

- (a) has failed to lodge an account of election expenses within the time and in the manner required by law or under this Act, and
- (b) has no good reason or justification for the failure,

Election Commission shall, by order published in the Official Gazette, declare him to be disqualified and any such person shall be disqualified for a period of three years from date of the order.”;

NOW THEREFORE, in pursuance of Section 10A of the Representation of the People Act, 1951, the Election Commission hereby declares Smt. Gomathy, resident of 11/240, Lower Division, Devikulam Estate, Munnar P. O., Kerala, an Independent contesting candidate for General Election to Lok Sabha of Kerala, 2019 from 13-Idukki Parliamentary Constituency in the State of Kerala, to be disqualified for being chosen as and for being a member of either House of Parliament or the Legislative Assembly or Legislative Council of a State or Union Territory for a period of three years from the date of this order.

By order,

ARVIND ANAND,

Principal Secretary.

